

**605—10.5(34A) Wireline 911 service surcharge.**

**10.5(1)** One source of funding for the 911 emergency communications system shall come from a surcharge of one dollar per month, per access line on each access line subscriber.

**10.5(2)** The 911 program manager shall notify local exchange carriers and competitive local exchange service providers scheduled to provide exchange access 911 service within a 911 service area that implementation of a 911 service plan has been approved by the joint 911 service board and by the 911 program manager and that collection of the surcharge is to begin within 60 days. The 911 program manager shall also provide notice to all affected public safety answering points. The 60-day notice to the carriers and providers shall also apply when an adjustment in the wireline surcharge rate is made.

**10.5(3)** The carriers and providers shall collect the surcharge as a part of their monthly billing to their subscribers. The surcharge shall appear as a single line item on a subscriber's monthly billing entitled "911 emergency communications service surcharge."

**10.5(4)** The carriers and providers may retain 1 percent of the surcharge collected as compensation for the billing and collection of the surcharge. If the compensation is insufficient to fully recover a carrier's or provider's costs for the billing and collection of the surcharge, the deficiency shall be included in the carrier's or provider's costs for rate-making purposes to the extent it is reasonable and just under Iowa Code section 476.6.

**10.5(5)** The carrier or provider shall remit the collected surcharge to the joint 911 service board on a calendar quarter basis within 20 days of the end of the quarter.

**10.5(6)** The joint 911 service board may request, not more than once each quarter, the following information from the carrier or provider:

- a. The identity of the exchange from which the surcharge is collected.
- b. The number of lines to which the surcharge was applied for the quarter.
- c. The number of refusals to pay per exchange, if applicable.
- d. The number of write-offs per exchange, if applicable.
- e. The number of lines exempt per exchange.
- f. The amount retained by the carrier or provider from the 1 percent administrative fee.

Access line counts and surcharge remittances are confidential public records as provided in Iowa Code section 34A.8.

**10.5(7)** Collection for a surcharge shall terminate if 911 service ceases to operate within the respective 911 service area. The 911 program manager for good cause may grant an extension.

a. The director shall provide 100 days' prior written notice to the joint 911 service board or the operating authority and to the carrier(s) or provider(s) collecting the fee of the termination of surcharge collection.

b. Individual subscribers within the 911 service area may petition the joint 911 service board or the operating authority for a refund. Petitions shall be filed within one year of termination. Refunds may be prorated and shall be based on funds available and subscriber access lines billed.

c. At the end of one year from the date of termination, any funds not refunded and remaining in the 911 service fund and all interest accumulated shall be retained by the joint 911 service board. However, if the joint 911 service board ceases to operate any 911 service, the balance in the 911 service fund shall be payable to the homeland security and emergency management department. Moneys received by the department shall be used only to offset the costs for the administration of the 911 program.

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